

H ³
~~28.~~ A pharmaceutical composition according to claim ³¹~~26~~, which composition consists of a synergistically effective amount of three to seven parts by weight of benflumetol (I) for each part by weight of artemether (II).

H ⁴
~~29.~~ A pharmaceutical composition according to claim ³¹~~26~~, which composition consists of a synergistically effective amount of five to six parts by weight of benflumetol (I) for each part by weight of artemether (II).

Y² cont.
30. A method of treating malaria which comprises administering orally to a patient in need of such treatment a synergistically effective amount of benflumetol (I) combined with a synergistically effective amount of an artemether (II).--

R E M A R K S

The present amendment is presented prior to an examination on the merits of the application. Certain amendments are presented to the specification and the claims and an Information Disclosure Statement is made a part hereof.

The specification has been amended in order to include reference to Applicants' immediate parent application.

The claims of the application are amended by cancelling claims 17 to 19 and 22 to 25 (all the claims in the application) and inserting in their stead newly formulated claims 26 to 30.

The newly presented claims specify that the composition is for oral administration and also more specifically define the artemether component. Clear support is apparent in the specification for the claims as amended and particular attention is directed to page 5, the second full paragraph and to the examples in the specification.

Prior to the submission of the instant PRELIMINARY AMENDMENT, this application has been discussed by telephone between the undersigned attorney and Examiner Jordan of Group Art Unit 1205. The purpose of that discussion was to advise the Examiner that this PRELIMINARY AMENDMENT (to include an Information Disclosure Statement) was being filed. The Examiner has also been advised that it is the desire of the undersigned attorney to arrange for a personal interview with the Examiner to discuss the application and the materials submitted herewith prior to the issuance of a first Official Action in the application. It is expected that a patent representative of the Assignee corporation from Switzerland will also attend such interview and it is believed that such interview can be arranged for the latter part of September. The courtesy of the Examiner in this regard is gratefully acknowledged.

INFORMATION DISCLOSURE STATEMENT

In order to assist the Examiner in the examination of the application and in order to complete the record of the application, the Applicants wish to take this opportunity to bring to the attention of the Examiner certain information which the Examiner may consider to be material to the examination.

Submitted herewith is a completed form PTO-1449 listing certain publications for the consideration of the Examiner. The Chemical Abstracts publication constitutes an English language abstract of the Chinese Journal of Pharmaceuticals publication.

Also attached are Declarations of Dr. Walther H. Wernsdorfer and Bonan Lin which discuss the cited publications and the teachings thereof. Copies of the publications are attached as exhibits to the Declaration of Bonan Lin.

Also attached is a Declaration Under Rule 132 of Yiqing Zhou which sets forth the results of certain experimental studies on the activity of certain antimalarial agents.

The cited publications and the attached Declarations will be discussed in detail with the Examiner during the personal interview with the Examiner discussed above.

The Examiner is respectfully requested to take this information into account in the examination of the present application.

Respectfully submitted,
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By: 
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